

**GROTON PLANNING BOARD
FEBRUARY 23, 2006
MINUTES**

Chairman Clements called the meeting to order at 7:30 PM in the Town Hall

Members present: Clements, Barringer, Degen, Eliot, Lewis, Perkins and Wilson

MILL RUN PARKING PLAN

The Board discussed parking at Mill Run Plaza. Attorney Robert Collins, representing Ryan Development, submitted a letter dated February 23, 2006, and property manager Scott Viscariello, representing the Mill Run unit owners, submitted a letter dated February 19, 2006.

Mr. Collins said he researched Westford's and Concord's parking requirements which differ from Groton's. He said Westford requires one space for 200 square feet of office use and parking lots along Route 110 are never full. Concord requires three spaces per professional permit and one space for every other employee.

Mr. Viscariello presented a spreadsheet showing actual or estimated numbers of employees for the 17-18 businesses that are open. The total number of employees is 112, and there are 205 parking spaces at the site. He said the unit owners are requesting that the Board allow them to monitor the situation and not take corrective action unless parking becomes a problem. If there is a problem with parking, the owners will come back to the Board with a proposed solution.

Mr. Collins said the 205 approved spaces seem to work for this site. The North Middlesex Savings Bank will have 29 employees so there will still be excess parking.

Member Barringer noted that not all the units are occupied or fully operational yet. The situation may change as the businesses become established. He said the bank may have only 29 employees, but there must be parking spaces for customers.

Mr. Viscariello said there are always parking spaces available whenever he visits the site.

Member Perkins said the Board did vote on the waivers for parking on January 26, 2006 with a condition that the overall parking plan be addressed by the unit owners. Mr. Collins said owners obtained building permits on the basis of the waivers, but they must be able to complete the process and receive occupancy permits.

Mr. Viscariello submitted a copy of Acton's by-law which requires one space for 300 sq ft retail use and one space for 1000 square feet for a bank. Member Degen noted that parking at Acton Medical is a failure so this is not a good example. He asked what the Mill Run owners plan to do in the future. He said it is not fair to owners who may purchase a unit that cannot be used because there is no parking.

Mr. Collins said the Board asked the unit owners to evaluate what is in place today and they have done what the Board requested. The number of spaces in use varies at different times of the day. The owners have demonstrated that there is not a parking problem at the present time, so the Board should recommend that the Building Inspector grant occupancy permits for the units under construction.

Chairman Clements asked if any units have been sold recently. Mr. Collins said, "no."

Member Lewis said there are still six unoccupied spaces at Mill Run. Parking may not be a problem now but it could be a problem in the future if the businesses are successful.

Planning Administrator Michelle Collette noted that the developer submitted a new as-built plan on February 21, 2006. Member Lewis asked why the as-built plan does not show the square footage of each building's footprint.

Chairman Clements asked what action should be taken by the Board at this time. Mr. Collins requested that the Board confirm the parking waivers for the bank, Chella Jeganathan and Churchill Properties so they can receive occupancy permits.

Member Perkins said she would agree to the waiver as long as the Board sends notice to Ryan Development stating that there are no additional parking spaces available at the site.

The motion was made by Perkins to grant a waiver approving a reduction of 16 parking spaces allocated to Mill Run Plaza Building #497, Units B, C & D, owned by Ryan Development. Five (5) of the 16 parking spaces will be credited to Unit Building 493, Unit C, owned by Churchill Groton Property Management. Six (6) of the 16 parking spaces will be credited to Building 493, Unit F, owned by Chella Jeganathan. Five of the 16 parking spaces will be credited to Building #489 owned by the North Middlesex Savings Bank. ***The motion was seconded and passed unanimously.***

The motion was made by Perkins to send a letter to Ryan Development and other unit owners at Mill Run Plaza stating that there are no additional parking spaces left on the site to meet the parking requirements of §218-23B. The owners need to be aware, therefore, that the lack of any additional parking spaces sufficient to satisfy the requirements of §218-23B may jeopardize the issuance of building permits or occupancy permits at Mill Run Plaza in the future. The letter shall be reviewed by Town Counsel before it is sent. ***The motion was seconded and passed unanimously.***

The motion was made by Degen to request that Ryan Development reimburse the Town for engineering expenses relative to Mill Run Plaza totaling \$3219.69. The Planning Board's Fee Regulations, Chapter 340 of the Code of the Town of Groton, state:

“All expenses incurred by the Planning Board during Site Plan Review, including the expense of engaging outside consultants, shall be paid by the applicant. Reimbursement of these expenses is a requirement of approval, and failure to reimburse shall be cause for denial. The Planning Board may set alternate dates for said reimbursement by setting them as a condition of approval of the Site Plan.”

The motion was seconded and passed unanimously.

The motion was made by Degen to request that Ryan Development have LandTech add the square footage of each building at Mill Run Plaza to the as-built plans dated February 26, 2005, with revisions through January 16, 2006 and that LandTech respond to the outstanding issues contained in the attached Judith Nitsch Engineering, Inc. (JNEI) report dated January 26, 2006. ***The motion was seconded and passed unanimously.***

North Middlesex Savings Bank President William Marshall submitted a floor plan showing the internal space at the bank. He said this facility is the bank's operations center with only a small branch for customers. He said he is confident that there will be enough parking spaces. The bank will continue working with the other unit owners toward a permanent solution. He thanked the Board for its efforts.

The Board discussed the memorandum dated February 1, 2006 from the Building Inspector stating that he does not believe the problems with the drainage system are a zoning violation.

Member Lewis said the Planning Board is supposed to protect abutters during the site plan review process. This drainage system has failed and is not functioning as designed.

The motion was made by Lewis to appeal the Building Inspector's decision to the Zoning Board of Appeals. ***The motion was seconded and passed unanimously.***

(Member Wilson arrived.)

PROPOSED ZONING AMENDMENTS

The motion was made by Barringer to submit the proposed zoning amendment to §218-25 Site Plan Review as drafted and revised by the Board. ***The motion was seconded and passed unanimously.***

The motion was made by Barringer to submit the proposed zoning amendment to §218-23 Off-Street Parking and Loading as drafted and revised by the Board. ***The motion was seconded and passed unanimously.***

Member Degen suggested changing the inclusionary zoning provisions from 10% to 15%. The Board agreed. The motion was made by Degen to submit the proposed amendment to §218-26 Flexible Development to increase the affordable housing requirements from 10% to 15%. ***The motion was seconded and passed unanimously.***

DESIGN GUIDELINES

The Board met with Peter Flinker of Dodson Associates to discuss design guidelines and other issues. Chairman Clements said he liked the idea of establishing a design review board. Mr. Flinker said using design guidelines as advisory rather than mandatory is a good way to start. Member Degen agreed that a manual like South Kington, RI can be used to guide development.

Member Wilson said architectural design is an important consideration especially with commercial development. He asked how the Town can define good design. Mr. Flinker said the guidelines will include examples of good design based upon comments from the public at workshops that will be held in different areas of the Town.

Member Perkins requested that Dodson Associates provide the Board with more detailed information than provided in the outline dated December 15, 2005. She said more contextual reference is needed before the Board can move forward. She asked Mr. Flinker to provide examples of areas with good design so members could visit these sites. Mr. Flinker said Amherst, Lenox, North Hampton, Mashpee Commons and Concord all have good examples.

The Board will continue its discussion of design guidelines on March 30, 2006.

APPLICATION TO THE COMMUNITY PRESERVATION COMMITTEE

The motion was made by Perkins to support the Board of Selectmen's application to the Community Preservation Committee for funding to purchase 360 acres of land owned by the Marion D. Campbell and Strachan Trusts. ***The motion was seconded and passed unanimously.***

Meeting adjourned at 11:00 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

